1938

Rnl File No 40-38

Serial Nos 6—11 and 28

Previous References

Rnl 118/35 (1-6)

~~Letter~~ *References*

Rnl/36-40-1&2

GENERAL AND REVENUE SECRETARIAT

Serial Nos Seven

Part B for August 1939

SUBJECT

Location of the Petrol Bunk and Collection of tax on Kerosene Oil to be at Assikere

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Sl 28) to the D C Hassan Dt

no L 2039 dt 21-8 39

WD 0418—GPB—22,500—23-8 38

States that the Burmah Shell Co may be permitted to have the bunk in the place where it is now built & ~~state~~ that separate orders will issue re the tax

Dss 4204
L

Submitted

Municipal

Petn from some merchants and rate payers of Arasikere Town

Petrs state that the local Petrol Agent has commenced building a Petrol Tank (Petrol) on his private land which is situated in the midst of thickly inhabited area, thereby depriving the municipality of even the ground port and endangering the locality. They urge that this should not be allowed as a separate place has been chosen by the municipality for the purpose A request has been made that the D C should be asked to stop the construction

To C Secy for the Comptr

Routine Notes

[To be used only for notes requisitions etc not intended for permanent record]

2/ Submit with a memo on the petition forwarding it to the DC Hassan Dt for ~~disposal and report~~ submission of a report, for information

Sd/- 15/2/20

3). Submitted 15/2

No L 6473/Rel. dt 15.2.20

To the DC Hassan

No L 69 13 dt 28 2 20

for another petn for report

NB —Should routine notes not be written on official slips, these notes must be pasted on slips pasted on this form.

INSTALMENTS OF HOUSE-BUILDING ADVANCE REALISED BY DEDUCTION IN THE PAY BILL OF THE GENERAL AND REVENUE SECRETARIAT FOR THE MONTH OF 19

Name	Amount of advance	Instalment due for 19	Amount realized	Remarks

For Secretary to Govt

WD 02190—GPB—3 000—8 8 13

Location of Petrol Bunk - Arsikere

General and Revenue Secretariat | File No 40 of 1938 | [App 1 -III—2

Serial No	
	Another anonymous petn dt 1 3 39 from a rate payer of Arsikere praying for removal of the petrol pump put up within the compound of one Mr Venkataswamy
	Remarks of the Second member of Council on the petn "D Sy Sec wants Comptn what is this about? Refers" (Initd) K V R 3 3 39
the D Sy Sec	5) "Please put up dy C's report with records received today was not in order to issue the license without reference the Inspector of Explosives? This may also be noted upon" (Initd) B H-K 3 3 39
8	From the dy comr Hassan dtd Letter No B C 76 38 dated 1 3 39 Forwarding the report on the objection petns re 1) the location of the Petrol Bunk at Arsikere 2) collection of tax on petrol at 2 annas per litre on which a report is stated to have been called for from the RLA&DC Separately
	6) orders of the Secy & Sy re the Second item referred to above "Report on three points has may be considered" (Initd) B H K 3 3 39
	7) dft letter submd for approval D. 1/3/39 Secy & Sy 2/14/3/-
9	To the Dc Hassan 8) Draft approved by the Secy & 756 8/17 3 39 and may issue Calls for further information 2/16/3/

TYPING SECTION - 3 -

NOTE—Contn Sl No

WD 0544—GPB—30 000—9 38

dpd 97 / 59 to 65

Location of Petrol Bunk at Arsikere

File No	40	of 1938	General and Revenue Secretariat

From the Dy Comr, Hassan dtd
Letter No C 76/38 dt 24 3 39
furnishing the information called for

a) the report that, in view of the situation of the petrol bunk no difficulty was anticipated by the Chief Inspector of Explosives in granting a licence for the storage of the oil of the Shell Co

b) Re the 2nd point of Tax on petrol (Kerosene oil), the Dc has sent a separate report and it is being worked up separately

13) Does may also be pointed

4) The explanation of the Municipal Council in respect of the smuggling of 200 tins of kerosene is promised to be sent after the prosecution for the evasion of octroi duty is disposed of in the Court to which the matter has been referred

14) This need not be mentioned in the letter to Govt but may be called for if necessary

12) Both the reports to paras 4 & 8 supra

2/28/3/-

Sd/- [illegible]

28 3 39

31/3

15) The Govt should meet the whole case in a comprehensive way, instead of piecemeal

31/3

16) Draft letter submitted for approval of the levy of octroi duty on kerosene oil is enclosed herewith

2/31/3/-

Sd/- [illegible]

2/1/4/-

1/4/39

3/4

TYPING SEC
4 APR 1939
GEN & REV DEPTT

5022

8845/2

Location yet to be found at Peshawar

General and Revenue Secretariat | M/ File No 40 of 193 8 | [App F III—2

Serial No 19

1 Ans de Hassan Abdal
L 8146 dt 8 to 39
Calls for a detailed & clear report on the matter

By Govt

NOTE—Cont Sheet

WD 0044—GPB—30 000—1 9 38

File No	of 193	General and Reven Secretariat

Location of Petrol Bunk etc at Arakkonam

629/V681

2

General and Revenue Secretariat | File No | of 193 | [App F III-2

Serial No

From the D.C. Chittoor

No P.C. 76-38 Dt 25.5.35

submits a further report about the allegations made by one Mr. Narasimha Reddy about the location of the Petrol Bunk & collection of Tax on Kerosene oil at Arakkonam

From the same Area

No P.C. 76-38 Dt 22.6.35

submits a further report about the allegations made by Mr. Narasimha Reddy in his petition that the charge of misconduct has not been yet handed over to him at Arakkonam etc.

1 The previous papers connected with this case were with the Secretary, L&S, having been submitted to him on 11.5.35

2 Five orders of their return to the Assembly may be awarded

(Law Secy) 2/7/35

3 The previous papers may be kindly sent

(Dev Sec) 6/7/35

4.8.a
5.9.35
5.9.35
Dis 5.9.35

NOTE—Contn Sheet

File No	of 193	General and Revenue Secretariat.
		Serial No

Location of Petrol Bunk etc at Arasikere

General and Revenue Secretariat | Jul File No 40 of 1938 35 | [App F III-2

Serial No	
	4 On 16th December 1938 at 10 A M the Sanitary Inspector of Arasikere, on information received, went to the shop of one Aswathanarayana and found 89 tins of kerosine oil on which octroi had not been paid and learnt that another 110 tins had already been sold to 3 persons Octroi was paid in the evening under the orders of the Vice President Neither the clerk that issued the receipt nor the Vice President has been examined as witnesses in the case either for the prosecution or the defence The fact whether the accused told the clerk as alleged that he would pay the octroi later on remains uncorroborated The Magistrate has neverthless remarked that (1) it was not proper on the part of the Vice President to have ordered the acceptance of the octroi after 6 P M and the delivery of the seized articles to the accused without levying a composition fee in addition, (2) that his action is not free from blame and (3) that he can only say that the Vice President had failed to discharge his duties
	5 The charge of the Deputy Commr against the Vice President is that, inspite of the Sanitary Inspector having seized the tins under a mahazar, the Vice President had let off the goods recovering only octroi and without bringing the matter to the notice of the President

Flag T
Copy of judgment

NOTE—Contn Sheet.

Location of Peter Burk etc at Arasikere

File No 40 of 1938-39 | General and Revenue Secretariat

Serial No

The kerosine oil business in Arasikere is now in the hands of three people, Messrs (1) K Venkataswami, (2) S Narasinga Rao and (3) Abdul Gani As stated in the memo of the Deputy Commr dated 18th December 1938, it was on the complaint of Mr S Narasinga Rao that the record relating to the smuggling of kerosine oil tins was obtained and examined The D C was of opinion that the Vice President should not have been content with the mere recovering of octroi duty but should have prosecuted the accused, that the V P 's action was out of jurisdiction and was against the interests of the Municipality and that he should have submitted the records to the President He therefore ordered that sanction of the Council may be obtained for the prosecution and further action taken

Flag U

6 The Vice President urges in his explanation that the D C who was in Arasikere on the 18th December 1938 could have sent for him and obtained his explanation before passing the order The trend of the explanation is that the Deputy Commr was misled by Mr Venkataswami and others interested in the kerosine oil business and that the D C 's orders created a local sensation and stirred up party feelings which are responsible for subsequent developments Mr Venkataswami persuaded the Municipal Councillors to bring in a " no-confidence ' motion against the Vice Presi-

Flag W

Location of Petrol Bunk etc at Arsikere

Serial No

President who thereupon sent in his resignation in disgust The no-confidence " motion was not however pressed On the other hand the same Municipal Council again re-elected him Vice President As to his action on 18th December 1938, the V P explains that he thought that he had sufficiently safeguarded municipal revenue by collecting the octroi and that he did not know that he had to recover anything more than the octroi He adds that he did not want the merchant also to lose, as the tins were leaky He was actuated only by the desire to see that neither the Municipal Council nor the merchant was a loser He could not bring the fact to the notice of the President as he was not at head-quarters, and before the matter could be brought to the notice of the Council, the Deputy Commr had cancelled the Vice President's orders on the petition of Mr Narasinga Rao He makes a counter allegation that whereas he released the kerosine tins after recovering at least the octroi, the kerosine tins belonging to Mr Venkataswami and Mr Narasinga Rao were being admitted into the town without levying even octroi He goes on to say that Mr Venkataswami is in favour, as the D C has permitted him to have a petrol bunk in his own premises without consulting the Municipal Council, though the D C himself during his inspection of

NOTE—Contn Sheet.

Location of Petrol Bunk etc at Mankara

File No 46 of 1938-39 | General and Revenue Secretariat

Serial No

the town had suggested the construction of the bus-stand and petrol bunk in a public place near Kallankatte and under the instructions of the D C the Municipal Council had already put themselves to considerable expenditure for improving the area and that the Municipality by the present arrangement loses considerable revenue that it was hitherto deriving

These counter-allegations have also been enquired into Government sanctioned the levy of an octroi duty of 2 annas per tin of kerosine oil in 1929 and it was being collected at that rate up to 1934 In 1935, however, the Municipal Council formed a Sub-Committee to consider the question of the octroi on kerosine oil with the direction that the Sub-Committee should examine the question in consultation with the kerosine oil agents The Sub-Committee recommended that as the three agents Messrs Venkataswami, Narasinga Rao and Gani had agreed to pay octroi on 50% of the quantity imported, octroi may be levied only on that quantity with effect from December 1934, the other 50% being allowed free on the assumption that it was not consumed in the Municipality The Council approved of this in June 1935 This resolution of the Municipal Council was, however, not communicated to Government and their orders obtained This concession is not covered by any Govt order or by any amendment

Flag V
Muddas Report

Location of the Petrol Bunk etc at Azamkere

Serial No

of the octroi Bye-laws The resolution was, however, given effect to from December 1934 The local Auditor has also remarked on this in his audit notes for 1936-37 It is only on 29th December 1938 after the detection of this case of smuggling that the Amildar-President seems to have moved in the matter of obtaining sanction to this concession, presumably because the Vice President raked up this old question The D C wanted to know if the irregularity had been put an end to at least after it was pointed by the Auditor The proper course to take was to enforce the levy at the sanctioned rates until the revised arrangement was sanctioned by Govt, but the D C directed the convening of a special meeting of the Council to consider the audit objection and to decide the action to be taken The President ordered that from the date on which the D C 's order was received by him, viz 3rd February 1939 octroi should be levied on the entire quantity at 2 annas per tin, but both Messrs Venkataswami and Gani flatly refused to pay The Municipal Council considered the matter again on 19th February 1939 and they reiterated their old resolution of 1935 saying that octroi need not be levied on 50% of the quantity imported The D C reports that it was irregular on the part of the then President Mr M S

NOTE—Contn Sheet

Location of the Petrol Bunk at Arasikere

File No 40 of 1938-39 | General and Revenue Secretariat

Serial No

M S Shamanna to have given effect to the resolution without sanction of Government or amendment of the bye-law, but recommends, however that the proposal of the Municipal Council may be sanctioned The proceedings of the Municipal President Mr Nadhuranatha has been in force from 13.7.36 or for more than 3 years In two days not notice the irregularity or has it suspected until it was pointed out - many ~~days~~ and a report + raised up lying party approach - no vendors - Survey

As the Auditor has remarked, the loss on account of octroi duty on kerosine alone in 1936-37 is more than Rs 1788 as the result of this unauthorised procedure

On this basis the loss for the last 4½ years since December 1934 would ~~must~~ be more than Rs 7,500

As to the question of shifting the petrol bunk, the D C reports that, as the petrol bunk was situated in a most congested place, the Municipal Council considered it desirable to shift to the bus-stand which they were contemplating to form at the junction of railway-station road with the Bangalore-Honnavar road During the inspection of the town by the D C the place proposed was shown to him When the matter was under correspondence, the Burma Shell Company, whose agent is Mr Venkataswami, has forwarded a plan according to which the petrol bunk would be situated on the private land of Mr Venkataswami The D C says that as he found no objection to the plan proposed, the place being only a few yards from the proposed bus-stand, and located also on the Bangalore-Honnavar Road, he approved the plan so far back as 1938 A license was obtained by the Municipal authorics in November 1938

Flag X
DC sheet

Location of the Petrol Bunk at Arasikere

Serial No

11 A perusal of the records connected with the shifting of the petrol bunk shows that the Municipal Council passed a resolution as early as April 1938 that the petrol pump should be shifted to the Municipal land on the motion of a Ml Councillor on 17th March 1938 and the resolution was communicated to Mr Venkataswami in June 1938 It is evident from the subsequent correspondence that Mr Venkataswami, in order to save the ground-rent to be paid to the Municipality, has manoeuvred to get the pump shifted to his own premises It is a pity that the Deputy Commr was not able to see through this and is trying to defend his action, taken without consulting the Municipal Council The Burma Shell Company has all along been paying rent to the Municipality on the existing pump The Municipal Council will now lose this revenue The Deputy Commr is silent on the point whether the Municipal Council have put themselves to any expenses fort forming the site for the petrol bunk and the bus-stand which he seems to have approved

B- 1 2 3 7
Flags Y - 21-2-37
Z - 3 3 37
A 18-4 37

12) The several petitions on which these enquiries were instituted are also put up

13) The DC thinks that Mr Narasimhaiah is not fit to occupy the responsible post of President Mr Narasimhaiah is complaining that Hirayya cleared VP charge of the office is not given to him The President reports that-

Letter to 23rd-8-38

Reply
P W D I

NOTE—Contn Sheet.

Location of the Petrol Bunk site at Arasikere

File No 40 of 1938-39 | General and Revenue Secretariat

Serial No

Mr Narasimha Setty has not taken charge though asked to do so. He however seems to have arranged for charge being given to Mr Setty.

[illegible]
19/7/39

Hon'ble Law Secretary
II Member

14 In these files and in the petitions and anonymous petitions received by the Second Member there are the following four points raised -

1 That one Mr K Venkataswamy at Arsikere has been allowed to put up a petrol bunk in his compound

2 Alleged irregularity in levy of octroi on kerosene oil in Arsikere Municipality

3 That one Shadaksharappa has put up a building in contravention of the licence

4 Smuggling of kerosene into Arsikere without payment of octroi duty and the conduct of the Vice President Mr Narasimha Setty in that connection

15 1 Petrol bunk of Mr K Venkataswamy - He is the Agent of the Burmah Shell Company in Arsikere and he had a petrol bunk in a

Location of the Petrol Bunk at Arasikere

Serial No

congested place The Municipal Council considered it desirable to shift the bunk to the bus stand which was under contemplation at the junction of the railway station road with the Bangalore-Honnavar road The Burmah Shell Company has an agency office and show room on the Bangalore-Honnavar road a few yards off from the place which the Municipality was thinking of In October 1938 the Burmah Shell Company applied for permission to put up a bunk in their office compound The Deputy Commissioner approved the site plan They then applied in November 1938 to the Municipality for a licence for this petrol bunk and obtained a licence They have subsequently put up a petrol bunk in the compound of the agent's office and show room One of the objections to the location of the petrol bunk in this place is that it is in a private compound and that will be inconvenient for the public to go there This is a very flimsy ground There is no objection to locate petrol bunks in private compounds and there are many such in existence Further this is not a dwelling house It is the agency office of Burmah Shell Co and their show room People who want petrol and or other products would have no hesitation to go there and since it is on the Bangalore-Honnavar road itself there would be inconvenience to nobody If it is a fact that people will hesitate to go into

NOTE—C ntn he

Location of the Petrol Bunk at Hanthana

File No 40 of 1938 — 8 | General and Revenue Secretariat | Serial No

the compound then the Burmah Shell Company loses custom by locating the bunk there After all this bunk is only a few yards from the place selected by the Municipality and there could be no inconvenience to anybody

Another objection is that the Municipality will lose rent But this cannot be a ground of objection against a company having a bunk in their own compound if they choose The only question to be considered is whether the location conforms to the rules as regards storing of explosives, & is suitable In regard to this the Chief Inspector of Mines has certified that this is a suitable place If the Municipality wants to get rent they might lease their site to some other company If it is really a suitable place it will be easy to get competitors for the site The grounds urged are quite insufficient to require the company to shift the bunk and are more or less fanciful The bunk is quite close to the main road the site and plan have been approved by the Deputy Commissioner and a licence has been granted by the municipality It is close to the site which the Municipality originally selected The Chief Inspector of Mines has certified that it is a suitable place for storing They may therefore be allowed to have the bunk in the present They have built it

As observed by the Deputy Commissioner there seems to be some ill-feeling between the Vice President and the Agent of Burmah Shell Co and the anonymous petitions and other petitions

Location of the Petrol Bunk etc at Arsikere

Serial No

which are very similar in arguments to those in the explanation of the Vice President are probably engineered by the Vice President

18) 2 Alleged irregularity in levy of octroi on kerosene oil - Messrs Haji Gani H Narasinga Rao and K Venkataswamy are three wholesale agents who have got godowns in the Arsikere Railway premises From their godowns in the Railway premises they send out kerosene for sale in Arsikere town and also to places outside Arsikere The octroi on kerosene in Arsikere town is two annas per tin The question came up before the Municipality in 1935 as to the octroi leviable from these people The position is that octroi could be levied on only the quantity sold by them in Arsikere town and not on all the quantity that they received in their godowns The Municipality proceeded on the assumption that about 40% of the bulk coming to the godowns would be consumed at Arsikere and the rest exported to other places The Municipality arrived at an agreement with these three people that they would charge at two annas per tin on 50% of the bulk coming to them and that the remaining 50% should be allowed to go on the principle of 'Baramarga This practice was in vogue for some years Subsequently the auditors of the Local Audit observed that the practice was irregular In the petitions that have been received this has been distorted into an allegation that

NOTE—Contn Sheet.

Location of the Petrol Bunk of Arsikere

a preference is shown by the Municipality to these people and that they are charging octroi at one anna per tin

|)The jurisdiction of the railway premises ~~are~~ at Arsikere is still with the Government of India and the Mysore laws are not applicable there It is not part of the Municipality and the Town Municipalities Act does not apply to it Consequently the Municipality as is admitted cannot levy octroi on all the kerosene that is received by these people in their godown in the railway premises Under section 61 of the Town Municipalities Act octroi can be levied on goods got within the Municipality for consumption or use therein Consequently the Municipality can levy octroi on kerosene sold by these people within Arsikere town and not on kerosene which goes from their godowns out of Arsikere town In a case of this sort, it would be somewhat difficult to assess exactly what is sold in the town and what goes out Instead of keeping an establishment to ascertain and calculate from day to day the quantities actually sold in Arsikere the Municipality arrived at a compromise with these people on an approximate basis of taxing 50% This is not an unreasonable position and I do not think the Municipality has suffered since the average

Location of the Petrol Bunk at Arsikere

Serial No

been 40% of the bulk received by them The objection of the auditors therefore is not quite correct The audit objection that the Municipality is losing about Rs 1 800/- is not accurate The Municipality cannot levy octroi on the entire bulk The action of the Municipality in arriving at a compromise in this matter cannot be said to be irregular The more exact basis would be to calculate octroi on the quantity sold or consumed in Arsikere town For this purpose they will have to keep a clerk at the godowns of these people to note the quantities sent out by these people Then another clerk will have to note at the octroi exits of the town as to what quantity out of this issue passes out, the difference being the quantity consumed or sold in the town This would mean some elaboration of expenses and ultimately it may not be that the Municipality derives any addition in the sense that over 50% could be found to be sold in the town

The D C has stated that this arrangement has not had the approval of Government The arrangement may be sanctioned now or else the Municipality will have to be asked to collect octroi on the actual consumption or use in the town

3 Contravention of the building licence by Mr Shadaksharappa - One of the complaints in the petition was that one Shadaksharappa was putting up a terrace to his building without

NOTE—Contn sheet

Location of the Petrol Bunk on at Arsikere

ML File No 40 of 1938-39 | General and Revenue Secretariat

Serial No

obtaining a fresh licence and the Municipality is taking no action against him This is not correct Even before this petition was received the President had issued a show cause notice to this man and his prosecution is under consideration The D C has sent a report in this matter and it will be submitted for orders separately

(22) 4 Smuggling of Kerosene into Arsikere and the conduct of the Vice President in that connection - On 16-12-1938 one Aswathanarayana in Arsikere town got smuggled some 200 tins of Kerosene from Mangalore side The Sanitary Inspector raided his shop and found 89 tins for which octroi had not been paid and the dealer had already sold about 110 tins The smuggled tins were seized by the Sanitary Inspector under mahazar In the evening the Vice President Mr Narasimha Setty directed the release of the tins after taking the octroi dues of Rs 25/- from the party No prosecution was laid against him for smuggling the kerosene nor a composition fee was recovered from him when the matter came to the notice of the Deputy Commissioner, he directed prosecution of the party The ex-officio First Class Magistrate convicted him under section 84(2) of the Town Municipalities Act and

Location of the Petrol Bunk at Bankura

Serial No

Paper 2K of Dept

sentenced him to a fine of Rs 100/- In his judgment he has remarked

I cannot conclude my judgment without saying a word or two about the conduct of the municipal authorities in this case When it was known to them that action had been taken to seize the properties smuggled it was not proper on the part of the Vice President to order the acceptance of octroi after 6 p m and delivery of the seized articles to the accused He has not even compounded the offence. His action is not free from blame and I can only say that he has failed to discharge his duties "

23) So far as the case goes, it is a clear case of smuggling and prosecution should have been ordered by the Municipal authorities The explanation of the Vice President is that the party did not dream of deceiving the municipality for a petty sum of Rs 25/- that as the octroi clerk told the Vice President that the tins were leaky he issued orders for the release of the same by taking the usual tax He complains that the D C ordered prosecution without consulting him and that this created a sensation in the town

24) It is difficult to detect cases of smuggling and when found they have to be dealt with deterrently The present case is not one of a bona fide mistake If the party was so honest, nothing prevented him from paying the octroi dues before bringing in the tins He had sold each tin at 4½ annas less than the usual rate and it is evident that 2 as out of this was the profit made by smuggling If a case of smuggling is

NOTE—Contn Sheet.

Location of the Petrol Bunk etc at Arrakkal.

G 272/41191 V 197 V 5 [illegible]
5074 5 V 69, 1 [illegible] 6814

ML File No 40 of 1938 35 General and Revenue Secretariat.

Serial No

let off accepting the usual octroi it will lead to a large leakage It is not possible to say on how many previous occasions this man had smuggled and was not found out The intention to defraud the Municipal Council of octroi in this case is fairly clear and the prosecution has resulted in a conviction The Vice President's conduct in accepting the usual octroi and letting off the party was not quite regular This appears to have had a legal ~~caused trouble~~ in the Municipal Council Some Municipal Councillors appear to have brought a resolution of a vote of censure on him He resigned Subsequently the resolution was not pressed and he was re-elected He did not take charge till 24-6-1939

25 The Deputy Commissioner's opinion is that he has engineered all these petitions and his object is to see that the petrol bunk is not located in Mr Venkataswamy's compound Such a man the D C states is not fit to be in the responsible position of a Vice President

96 Since he has been re-elected and has assumed charge, no further notice is necessary in this respect

PVD I Rap.

PVD II

2nd Member) I agree

12/8/39

1167
15 8 39

DC may be informed accordingly so far as Octroi on Rice

Location of the Petrol Bunker at Bantva

623

General and Revenue Secretariat

File No 171 Hqo of 1938 [App F III-2

Serial No

to Concerned the practice Barpalon, Myon, Tamsun & Davangere may be as contained upon on depositing plan orders on the petrol in regard to Bantva

30/8 I am sorry to advise you that no reply has been received as well

KC 16/8

3) Put up draft reply

C 16/8

2/16/11

32) Draft letter submitted for approval as submitted

8/16/8/39

(Law Secy)

2/16/11

C 16/8/39

2/16/11

To Mr DC Hassan Esq

L 20 39 21/8/39

States that the Burma Shell Co may be allowed to have the tanks on for outgoing Office & Showroom

CECY LAW DEPT 16 AUG. 1939 RECEIVED

Action to be taken by Law Secy (C) re Burma Shell Co's application for permission to keep petrol in tanks at Bantva

Note Cotin Sheet

File No of 193

General and Revenue Secretariat.

Serial No

To

Anantharaman Esq B A

Second Councillor

Mysore State Bangalore City

Respected Sir

I a rate payer of Arsikere town beg to bring the following to your honours kind perusal and immediate orders

Last week there was a public petition addressed to your honour by some municipal Councillors about the situation in the town Once again I am forced to bring to your notice the drastic action taken by the party one Mr K Venkataswamy of this place

Firstly I would like to note that he is very well off with the local and District Officers in this Dristict He has got such a capacity that he very easily capture anybody who approaches him For example, the incident in which he has very recently interfering with the Municipal affairs and creating party feelings in the town by taking about fourteen members of the Council to his side haming made reselutions by taking oath by them and played a hell to see that one Mr K Narasimha Chetty Vice President of this town Municipality had to resign Mr Chetty behaved with a noble mind and thinking that if he resigns the resolutioni e bringing in a special meeting the subject of "No Confidence" motion would not come to light and that there will be no further parties in the town(his birth place)

Mr K Venkataswamy is come from Bellary and made his fortune in several ways He is the agent for Burmha-shell Co , Petrol agent Sub distributor for Indi Tyres &for some Ciggarett Company and lastly Excise Contractor For the Taluk For Toddy & Arrack, Ganja and Opium

Now the reason of differances between the V P and himself is one kerosine dealer from Mangalore came here with a consignment of about 200 tins of kerosine to sell at the sha ay

and as usual he has paid the tax at 2as per tin Mr K Venkataswamy did not want to allow the party to sell the same thinking it would affect his sales In the meanwhile the V P issued the receiptin lieu on business basis He wants to monopolise the area and that no one else should do the business Meanwhile Mr Venkataswamy wired to D C and also wrote a petition against the V P stating that the V P is making unusual ways of things and make the Municipality loose and that he has allowed the party by taking bribes ecc

The D C who is very friendly with him without enquiry with the President or the V p has endorsed to prosecute the party and put a case after putting the facts in the Council Afterall they have launched a case against the Mangalore dealer

Taking advantage of the intimacy of the officials the agent has removed the Petrol pump in question from the usual place to his compound We hear that your Honour has issued stay orders through the D C a couple of days back still the party has been sent information to the effect that stay orders is come and that he should complete the constructions before the morning of 19th inst,and that the orders will be sent on that day Mr K Venkataswamy finished the constuction having petrmax light in the night on 18th itself The stay orders came on the morning on 19th and still the orders were delivered at 4 p m as there was still some work to be completed This is the play played by the President Mr Rudrararadhya It appears they have endorsed on it that the works have been completed This is the situation here Had it not been for the interferance of The Amildar and The D C he w ould not have darely done this though there is Municipality existing here Specially for the convenience of the owners of cars and buses it will be a hard job to run to his bungalow premisus to fill petrol That too,it is evident that the petrol pump,should be situated in the bus stand About the bus stand and the pump, the behaviour of the D C in interfering and inspecting the area fixed by him alone&for the same it has costed the Municipality about 700 to 800 rupees This fact your honour knows through the public petition of last week I need not write it again

The D C has issued orders to the President to collect

collect 2 as per tin from the kerosine dealers irrespective of the party concerned Though the agents have received the consignments from the Company very recently after the orders from the D C have come the president has not yet collected the tax merely because the agents have threatened that they donot pay at 2 annas And it is strange to note that the President Has called for a special meeting to fix up the rate though he has orders to collect at 2as The meeting was not held last week as there was no quorum,as four of their side had sent in a petition to your honour Now again today i e 19th they have Holded themeeting after a meeting held the bungalow and indusing the FCJR to come to their side If this play was not played by the President surely the Municipality would have gained thousands of rupees in the shape of tax They have declared to collect one anna only,against the orders of the D C and for this meeting also the resigned V P did not attend, and the fourteen members who had given oath only attended and deal have passed the resolution All these unusual things are being done by the influence of the amildar and D D to the party

Further this is to note the partiality done by the Municipality in collecting the tax by the kerosine dealers Though Mr Venkataswamy has not paid the tax now,they have ignored the fact Had it been the turn of a dealer(moffusal) he would have been prosecuted by this time

Anyway we are glad to see that orders have been passed by your honour in respect of the items refered in the public petitionand we further are eagerly waiting to see that the petrol pump is removed from his bungalow premises and is fixed up some where in the public place,where it is convenient for the business

For instance your honour,The First member or The Dewan has to enter his premises to fill in petrol if wanted on your way Does it not look indecent and below the dignity of The State-officers to be dealt with below immagination?

Please excuse for long stay in wasting your precious time

Thanking you in anticipation,

I beg -
Respected Sir,
Your most obedient servant,

Ars[redacted]
20th Feb 1939

A Rate Payer And A Loyal
Subject to H H The
Maharaja

MY L 0.38-7

GOVT OF H H THE MAHARAJA OF MYSORE

GEN & REV SECRETARIAT

OFFICIAL MEMORANDUM

No L 6913 dt 20/12/39 Bgre

The accompanying anonymous Petition Registered No L 312/1 dated 21 2 39 received at the General and Revenue Secretariat from a ryot of Srinivasapura forwarding a letter addressed to one Mr K Venkataswamy of the place ~~who is alleged to be~~ ~~very much interested in the coal mines~~

is forwarded ~~herewith~~ with ~~its enclosures~~ in duplicate to the Dy Comr, Kolar for favour of a report in the portions marked in red pencil. Very early the enclosure may kindly be returned together with reply.

By Order,

2/14/-
Secretary to Govt

BANGALORE

19

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By Order

Secretary

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 28th February 1939

No 69.

Official Memorandum

The accompanying anonymous Petition Registered No 4312/L dated 21st February 1939 received at the General and Revenue Secretariat from a rate payer of Arsikere complaining against the actions of one Mr K Venkataswamy of the place, is forwarded with compliments to the Deputy Commissioner, Hassan District, for favour of a report on the portions marked therein very early

The enclosure may kindly be returned with his reply early

By Order,

For Secretary to Government,
Local Self-Government Department

S

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4491

Amd 40 3<

To,

K V Anantha Raman Esqr B A
Second Member in Council,
Mysore State,
BANGALORE

Respected Sir

In continuation of my petition dated 20th February 1939 I beg to bring the following to your Honour's kind perusal and favourable order

That the Petrol Pump's construction in question at Arsikere was only completed some two days back and still they are not supplying petrol direct from the Pump After delay for a couple of days at Hassan by D C and about 1½ days at Arsikere by the Amildar President the stay orders were served on the party Mr K Venkatswamy by the Sanitary Inspector and the same has been endorsed by him that the construction was completed by that time It was only completed some 2 days back

We were eagerly waiting for your Honour's order to the effect of the removal of the Pump from his Compound but in vain Still we have not yet left hopes of the same as Your Honour is being a Justified Statesman and that Your Honour would reconsider and issue orders to the D C to give effect directly by him alone as the Local Officer, Mr Rudra-radhya is in intimacy with the party

Now the party is supplying petrol in sealed cans and any passerby requires 3 gallons, he is not in a position to get it as each can's capacity is 2 gallons, By this you can judge yourself that the pump's works are not completed still as otherwise they would be in a position to supply by the Pump itself provided it were in a position to serve on

As a matter of fact, if the Government do not take action in this simple affair I have got my own doubts

in his strengthening in the matter, and thus creating party feelings as your personal order was not carried on which may lead worse position both to the party and the feeling Public

If it is justified to remove the Pump from his compound you may issue orders Else I request you to kindly excuse me in bringing to your notice of the actions of your subordinates and also loosing your precious time over the perusal of these two petitions and leave to the Almighty

Thanking Your Honour in anticipation,

I beg to remain
Your Honour,
Your most onedient servant,
A Rate-payer, and a loyal
Subject to H H the Maharaja
of Mysore

Arsikere)
1st March 1939)

As regards the other allegation against the President regarding collection of tax on petrol at 2 annas per tin, I do not know the facts and I have sent the extract of the petition to the President and called for a report, since I did not wish to delay this report by waiting for the report on that point, to which act again motives may be attributed

The two petitions are herewith returned

I have the honor to be,
sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

Appendix F G—1]

SUBJECT

Section Ml

File No L 0 - 38

Serial No 9

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 17/3/39

Signed by

List of enclosures

Copied by

Examined by

No L7565 — the Revenue

To the Dy Comm Hassan Arst

Sir,

Subject — Objections raised re
1) the location of the Petrol Bunk and
2) collection of toys on petrol at 2 as per
time at Arsikere

I am to refer to the correspondence ending with your letter No G.C 76/38 dated 1. 3. 39 on the above subject. I am directed to re the 1st objection raised enquire whether of the license without reference to the Inspector of Explosives was in order and to request that the decision of your report on the same

objection may, ~~then~~ be expected

the records

accompany for reply and
retransmission Registry with your reply
along with the ~~enclosure~~ plan sent to you with
~~to~~ this office No. L 64 73/HH 9 15 2 34

The explanation given by
the wife appears
suggested gross mental incapacity
which may also account

have etc
[illegible]
16 3 34

Secy L Sy

2/14/5/- [illegible]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 17th March -1939

No L 7568/ml 4038-9

From

The Secretary to the Government of His Highness the Maharaja of Mysore
Local Self Government Department

To

The Deputy Commissioner,
Hassan District

Sir

Subject - Objections raised re (1) the location of the Petrol Bunk and (2) collection of tax on Petrol at 2 annas per tin at Arsikere

---

With reference to the correspondence ending with your letter No P C 76/38, dated 1st March 1939 on the above subject, I am directed to enquire re the first objection whether the issue of the ~~xxxxx~~ license without reference to the Inspector of Explosives was in order and to request that the submission of your report on the second objection may be expedited

The records accompany for reference and retransmission very early with your reply along with the petition sent to you with this office No L 6473/Ml dated 15th February 1939 The explanation of the ~~Village Panchayat~~ Vice President as to why he ~~left of~~ Secy the smuggled goods without recovering Octroi may also be obtained

I have the honor to be
Sir,
Your most obedient servant

17/3/-

for Secretary to Government
L S G Department

TRM 2

No PC 76-38 Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 24th March 1939

3045
L

Ml 40-38-1D.

From T RAMAIYA, ESQ , B A , (HONS ,)
Deputy Commissioner, Hassan District

To

P H KRISHNA RAO, ESQ , M A

Secretary to the Government of His Highness
the Maharaja of Mysore, Local Self Govt Deptt
B a n g a l o r e

Sir,

With reference to your letter No L 7565/Ml 40-38- dated the 17th instant, I have the honor to state with referenee to point No 1, that considering the situation of the proposed bunk, no difficulty was anticipated in the matter of the grant of license by the Chief Inspector of Mines and Explosives herewith enclose a copy of letter from the Chief Inspector, addressed to me as District Magistrate, intimating the grant of such license

As regards point No 2, a separate report has been submitted with this office No C 3996 dated the 23rd March 1939 as it forms an independent subject matter of a separate correspondence

The explanation of the Vice President, with the entire records will be submitted separately after the prosecution for evasion of octroi duty is disposed of in Court

The petition sent with your No L 6473/Ml dated the 15th February 1939 is in the file itself The entire records are resubmitted and may kindly be returned early for further action

I have the honor to be,
sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

Letter No 2027 dated the 15/16th March 1939 from the Chief Inspector of Mines and Explosives in Mysore, Oorgaum, to the District Magistrate, Hassan District

---

I have the honor to give below particulars of a license issued this day under the Mysore Petroleum Rules for the storage of dangerous petroleum in a service station at Arsikere

License No	Name of licensee	Bulk or Non-bulk	Locality	Quantity licensed
Q 74 of 1939	Messrs Burmah-Shell Oil Storage and Distributing Co of India, Ltd , Bombay	Kerbside Pump	N-E of Agent's office and show room on the Bangalore-Shimoga Road, Arsikere	1,000 gls

N B :- Petrol Pump situated near the Kaberstan on the Bangalore - Honnavar road at Arsikere shifted to the present locality

"Copy"

Deputy Commissioner,
Hassan District

Appendix F G—1]

SUBJECT

5)

By Express

Section Ml

File No 40 38

Serial No 11

Diary No of letter replied to

No L 8146 Cus Records

To

The Dy Comr, Hassan Dist

General and Revenue Secretariat

( )

the *193*

Sir,

Subject — The location of Petrol Bunk and collection of toll on Kerosene oil and petrol at Arsikere

Date of issue 8-4-1939

Signed by

With reference to the Correspondence ending with your letter No P C 76/38 & 2nd and No Ml C 3496/38 dated 23 3 39 on the above subject, I am directed to observe that it is better to deal with the whole case in a comprehensive way, instead of piecemeal and to request you to forward a detailed and clear report in the matter along with your recommendation and the explanation of the Vice President of the Ml Cl for letting of smuggled goods without recovering duties, as there may not arise the disposal of the case in the Court

List of enclosures

Copied by

Examined by

WD 0563—GPB—30 000—6 1 39 The records received with your letters ~~quoted~~ under reference are returned herewith for retransmission with your report early

7/4/1 [illegible]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 8th April 1939.

No L 8146/ml40-38

From

The Secretary to the Government of His Highness the Maharaja of Mysore
Local Self Government Department

To

The Deputy Commissioner,
Hassan District

Sir

Subject - The location of the Petrol Bunk and collection of tax on kerosene oil and petrol at Arsikere

With reference to the correspondence ending with your letter No P C 76/38-Dated 24th March 1939 and No Ml C 3496/38 dated 23rd March 1939 on the above subject, I am directed to observe that it is better to deal with the whole case in a comprehensive way instead of piece-meal and to request you to forward a detailed and clear report in the matter along with your recommendation and the explanation of the Vice-President of the Municipal Council for letting off smuggled goods without recovering octroi, as this need not await the disposal of the case in the Court

The records received with your letters under reference are returned herewith for retransmission with your reply early

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government,
Local Self-Government Department

S/3

6291
C

No PC 76-38
Enclosures Read

Office of the Deputy Commissioner,
Hassan District,
Dated (Camp)Saklespur, the 23rd May 1939

From L F Govt
25 M 1939
Govt Mysore

From Ramaiya, Esq , B A , (Hons ,)
Deputy Commissioner, Hassan District

To

P H Krishna Rao, Esq , M A ,

Secretary to the Government of His Highness the Maharaja of Mysore, Local Self Govt Department,
Bangalore

Sir,

SUBJECT : The Location of the Petrol Bunk and collection of Tax on Kerosene oil at Arsikere

With reference to your letter No L 8146/M1 40-38 dated 8th April 1939 on the above subjects, I have the honor to state as follows

I PETROL BUNK -The facts relating to this have been narrated in my letter No P C 76-38 dated 1st March 1939 A copy of the letter from the Chief Inspector of Mines, intimating the grant of license to store petrol in the place has been submitted to Government with my letter of even number dated 24th March 1939 The objection taken to the location of the Bunk is due to personal animonity There is no provision to prohibit the location of a petrol Bunk on a private ground I am strongly of opinion that its location in front of the Show room of Mr Venkataswamy is not objectionable and may be allowed

II COLLECTION OF HALF TAX ON KEROSENE -As I said in my report of 24th March 1939, this is an independent subject and has nothing to do with the location of the Petrol Bunk But writers of anonymous petitions can link up unconnected things if it serves their purpose of maligning officers I have submitted the full history of the case with the connected records with my letter No 3496/38-39 dated 23rd March 1939 It relates to a general questio of 'Baramarga' of wholesale Kerosene Dealers, and the practice

practice has existed from 1934-35, but it has been made in the anonymous petition to appear as though the present Officers have introduced the system to help one particular person viz , Mr Venkataswamy For the reasons contained in the last para of my above letter, I recommend that the proposal of the Municipal Council may be approved

III EXPLANATION OF THE VICE PRESIDENT:-In both of your letters Nos L 7565/M1 140-38-9 dated 17th March 1939 and L 8146/M1 40-38 dated the 8th April 1939, the explanation of the Vice President is called for for letting off smuggled goods, without recovering octroi in the case mentioned by me as the motive behind the petitions But you will see from my letter of 1st March 1939 that that is not my charge against him I have stated therein that inspite of the fact that the Sanitary Inspector had seized the tins under a mahazar, the Vice President, without even bringing the matter to the notice of the President, had let off the case, recovering only octroi A copy of my order dx of 18th December 1938, referring the matter to the Municipal Council and remarking on the conduct of the Vice President and the explanation of the Vice President in original received from him on 20th May 1939 are both enclosed herewith (Enclosures 1 & 2) A copy of the judgment in the case which has been disposed of by the Sub-Division Magistrate on 28th April 1939, is also enclosed for reference (Enclosure No 3) It will be seen therefrom, that it was wrong on the part of the Vice President not to have subjected the party to penalty, when there was such a clear case My point is that, he should have submitted the records to the President and Council for such action as they deemed fi and not taken the responsibility of letting off the case himself On this omission, Mr Narasimhashetty has no satisfactory explanation to offer, but finds fault with the Sanitary Inspector for seizing the tins, defends the offending merchant as an honorable mx

honorable man, and thinks that the Deputy Commissioner should have consulted him before ordering the matter to be placed before Council All other matters contained in the explanation are extraneous to the point on which his explanation was called for But their practical identity with the contents of the anonymous petitions referred to me for report shows beyond doubt that he is at the bottom of these petitions The last portion of the explanation shows that the object of all this agitation is to see that the Petrol Bunk is not located in Mr Venkataswamy s Compound To gain his object, he does not hesitate to sling mud on the Deputy Commissioner himself because the Deputy Commissioner found fault with him in the discharge of his duties Such a man, is, in my opinion, not fit to be in the responsible position of a Vice President

The records received with your letter under reference are herewith returned (Enclosure 4)

I have the honor to be,
sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

I

P C 61/38-39/18/19-12-38

Memo

On the complaint of Mr S Narasinga Rao herein enclosed the record relating to the smuggling of Kerosene oil Tins by Mr Thayub Ahammad sait without payment of octroi duty was obtained and examined The undersigned is surprised to see that the Vice President has ordered the mere recovery of octroi duty in a clear case which should have been prosecuted The Vice President's action is not only against the interest of the Municipality but his order is also out of jurisdiction He would have done well if he had submitted the records to the President It is no wonder that under such circumstances, there should be plenty of ~~ikm~~ leakage of octroi revenue in this business centre The records are returned to the President for obtaining the sanction of the Council for prosecution and further action The result of action taken should be reported to the undersigned

Sd/-T Ramaiya,
Deputy Commissioner

"C O P Y"

Deputy Commissioner,
Hassan District

In the Court of the Ex-Officio First Class Magistrate,
Ha san Sub-Division, Hassan

Dated 28th April 1939

Present -Abdul Razaq, Esquire, B A , LL B
Ex-officio 1st class Magistrate

C C No 3/38-39

Complainant — Accused

Arsikere Town Municipality Vs H L Aswathanarayana

Section 84 (2) Town Municipal Act

J U D G M E N T

The Sanitary Inspector of Arsikere Town Municipality placed prosecution report under section 84(2) of Mysore Town Municipalities act on 4-2-39 before the Bench Court at Arsikere against one H L Aswathanarayana for bringing 200 kerosene oil tins in the Municipal limits without paying octroi as per bye laws in force on 16-12-1938 with the intention of defrauding the Municipality

The statement of the accused was recorded by the Bench Magistrate on 18-2-1939 in which the accused denied of having committed an offence and added that he had paid the octroi and obtained receipt

3 On the representation of the President of the Municipality to the District Magistrate stating that some of the Honorary Magistrates are Municipal Councillors, the case was transferred to the fil of my court on 14-3-39 and was taken on file on 15-3-1939

4 The accused was undefended

5 Prosecution examined six witnesses on its side on 3-4-39 at Arsikere camp

P W 1 is the Sanitary Inspector who deposes that on getting information he went to the shop of the accused at Arsikere on 13th December 1938 at about 10 A M and found 89 tins full of kerosene oil there for which octroi had not been paid and adds that the remaining 110 tins were already sold to P Ws 2,3 and 4 by the accused He ped to the mahizar (Ex P 1)drawn at the place for this and also for placing the prosecution report before Court as per orders of the President,Ex P2 (a) and Municipal resolution Ex P 2 In cross examination by the accused this witness admits that the accused told him that he had given the gate pass to Krishnappa Octroi Daffedar but Krishnappa who was also present at the spot and who has also signed the

the mahazir denied it and that the gate pass was produced by the accused from his shop and shown to him

P Ws 2, 3 and 4 are three merchants of Arsikere who speak to the fact of having purchased 30, 30 and 50 tins respectively on 16-12-1938 from the accused between 9 and 10 A M that day at a lower rate of 2-15-0 per tin It is also elicited in the evidence of P W 3 that the difference in the cost of each tin was about 4½ annas It is also evident from the evidence of these witnesses that at that time ie , between 8 a m and 10 a m octroi was not paid

P Ws 5 and 6 are two Municipal employees P W 5 is a clerk who is now at Arkalgud He speaks to the fact of having issued octroi receipt os 6 to 39 (Ex P 5) that day to various parties for payment of octroi from 12 noon to 6 p m and that receipts numbers 4 and 5 (Ex P3 and P 4 issued by octroi daffedar Krishnappa(under suspension) before 12 noon that day and also receipt No 40 (Ex P 6) issued by the same Krishnappa in the name of the master of the accused for 200 tins of Kerosene oil This receipt according to this witness must have been issued after 6 p m that day He also says that they issue receipts numberwar in the order of payment P W 6 is a bill collector who is also one of the witnesses to the Mahazir He corroborates p w 1

6 Further statement of the accused was recorded on 3-4-1939 after the closure of the prosecution He adhered to his previous statement and filed a written statement also together with a receipt for having paid octroi on 10th December 1938 for 200 tins to the Municipality This receipt is numbered 40, signed by Krishnappa, Octroi Daffedar He also stated that he has two defence witnesses, that he will give the list in three days He neither gave the list within the prescribed time nor he produced them before the Court on 17-4-1939 when case was posted for hearing only the accused appeared and asked the court to close the case as he could not produce the defence witnesses Hence the case was closed He and Sanitary Inspector argued the case

7 It is not denied by the accused that 200 tins of kerosene oil were brought into Arsikere Town Municipal limits on 16th December 1938 at about 8 a m without paying the required

required octroi He also admits that he paid the octroi that evening and produces voucher No 40 issued by Octroi Daffedar Krishnappa ie , duplicate of Ex P 6 According to the evidence P W 5, it is certain that this receipt must have been issued aft 6 p m on 16-12-1938 as he had issued Ex P 5 ie , receipt Nos o to 39 that day from 12 noon to 6 p m Even the evidence of P Ws 2, 3 and 4 (merchants) prove that octroi was not paid for these tins between 8 and 10 A M that day and it was about 1 30 p when usual procedure of drawing mahazir etc , was over that day Knowing all these things and the action taken by P W 1, it is strange thing that octroi was accepted by Krishnappa at 6 p m that day The plea of the accused that in the morning along he had informed Krishnappa about it and had told him that he would pay the octroi in the evening cannot be believed in the absence proper evidence He would have examined him as his defence witness At the time of mahazir (vide evidence of P W 1 and his cross examination) this topic cropped up but Krishnappa who was present then denied it and besides this the so called gate pass was produced by the accused from his shop The accused also has signed the mahazir (Ex P 1) If his intention was good there was no necessity for him to dispose off 110 tins in such a hurried manner for lower rates Though the accused paid the octroi in the evening that day, I can only say that it was only an after thought as a sort of defence for his morning's action with the help of octroi Daffedar Krishnappa who is under suspension now Therefore I come to the conclusion that the accused has committed an offence and his payment of octroi after 6 p m is not a sufficient defence for him Rule is clear that octroi should be paid before things are introduced in the limits of a Municipality Therefore I find him guilty of the above offence and fine him Rs 100/- under section 24o(2) Cr P C This amount may be credited to the Courts of Law

I cannot conclude my judgment without saying a word or two about the conduct of the Municipal authorities in this case The it was known to them that action had been taken to seize the properties smuggled it was not proper the part of the Vice

Vice President to order the acceptance of octroi after 6 p m and delivery of the seized articles to the accused He has not even compounded the offence His action is not free from blame and I can only say that he has failed to discharge his duties

In open court

Sd/-Abdul Razaq,
Ex-officio 1st class Magistrate
H a s s a n

28-4-39

"Copy'

Ramaiah
Dy Com
23 5 39

No

Office of the Deputy Commissioner
Hassan District,
Dated Hassan, the 22nd June 1939

From

T Ramaiya, Esq , B A , (Hons ,)
Deputy Commissioner, Hassan District

To

C Subrahmanya Iyer, Esq , B A , B L ,
Secretary to the Government of His Highness the
Maharaja of Mysore, Law Department,
Bangalore

In continuation of my letter of even number dated the 23rd/24th May 1939, reporting among other matters, that Mr Narasimh Shetty, Vice President of the Arsikere Town Municipal Council, is not fit to be in that responsible position, I have the honor to stat th t with reference to the allegation of Mr Narasimhashetty in his explanation dated 15th May 1939 submitted to Government with my letter referred to above, that the President had not handed over charge to him though he reported himself to duty on the 5th May 1939, the President was requested to report as to wh he had not handed over charge to Mr Narasimha Shetty The President reports that the report for duty was sent to him by Mr Narasimhashetty through the Head clerk of his office on the 5th May 1939, that he ordered thereon thereon immediately that Mr Narasimhashetty might take charge, that this was communicated to Mr Narasimhashetty that very day and his initials obtained underneath the President's order, and that he never came to the office and took charge The President further adds that as the office impress etc , which are in the office Iron safe, have to be handed over in person, he sent for Mr Narasimha-Shetty, that he was not to be found in the station, that there was absolutely no objection to hand over charge, and that the allegation that charge was not handed over is not true

A further report from the President has been received in this office yesterday stating that Mr Narasimha Shett has not yet assumed charge, and that this being the tail end of the year, he is put to great difficulty in not being able, owing to the want of a Vice President to look after Municipal work, to devote full

all attention to his other important work on the revenue side

I have now asked Mr Narasimhashetty to assume charge the duties of the Vice President immediately - not later than the 25th instant, in any case and also instructed the President to report to me the fact of Mr Shetty's entering upon his duties on the 25th or otherwise On receipt of the President's report, I shall address Government in the matter again

I have the honor to be
Sir,
Your most obedient servant

Deputy Commissioner,
Hassan District

6-38

623

OFFICE OF THE DEPUTY COMMISSIONER
HASSAN DISTRICT

Dated Hassan the 27th July 1939

FROM

T RAMAIYA ESQ B A (Hons
DEPUTY COMMISSIONER HASSAN DISTRICT

TO

C Subrahmanya Aiyar, Esq , B A , B L ,
Secretary to the Government of His Highness the
Maharaja of Mysore,
Bangalore

SIR

In continuation of my letter of even number dated the 22nd June 1939 regarding the Vice President of Arsikere Municipal Council, I have the honor to state that the President of the Municipality reports that Mr Narasimha Shetty took charge of the office of the Vice President on the 24th June 1939 in pursuance of my letter to him

I request that orders of Government may kindly be communicated early on the two subjects that are mixed up in this correspondence, viz , location of the Petrol Bunk and the procedure to be adopted for realising of Octroi on Kerosene in the case of wholesale Agents

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

Returning the main file as
a Branch may perhaps be opened for

ndix F G—1]

UBJECT

Section Ml
File No 40 - 38
Serial No 29

Diary No of letter replied to

No L 2039 Emc Revenue
To
The Dy Comr, Hassan Dt

General and Revenue Secretariat
( )
the *193*

Sir,

Subject Location of the petrol Bunk and collection of Sales on Kerosene oil etc at Arsikere

Date of issue 21 8 39

Signed by Mr M G H

Ref to the Correspondence ending with your letter No R C 76/38 of 27/7/39 on the above subject I am directed to state that the Agents of the Burmah Shell Company may be allowed to have the petrol bunk in the Office ~~Compound~~ showroom where it has now been built

That for Govt sanction the same I consider.

2 Separate orders will issue regarding the contravention of the building licence by Mr Shadakshara and collection on Kerosene oil at the place.

The records accompany the same etc

List of enclosures

Copied by

Examined by

WD 0763—GPB—30 000—6 1 39

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 25th August 1939

No L 2039/ML 40-38-28
Encl Records

From

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department

To

The Deputy Commissioner,
Hassan District,
HASSAN.

Subject.- Location of the Petrol Bunk and collection of Tax on Kerosene Oil etc at Arsikere

Sir,

With reference to the correspondence ending with your letter No P C 76/38 dated 27th July 1939 on the above subject, I am directed to state that Government have perused the ~~views~~ records and consider that the Agents of the Burmah Shell Company may be allowed to have the Petrol Bunk in ~~part~~ front of their office and showroom where it has now been built

Separate orders will issue regarding the (1) contravention of the building license by Mr Shadaksharappa and (2) irregularities in the levy of Octroi on Keresene Oil at the place

3 The records accompany

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Law Department

GRA/